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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P. No. 1362/1997

PETITIONER		Shri M.P. Gupta, Aged 36 years, S/o Ram Kripal Gupta, Designation Assistant Sub-Inpsector, Krishi Upaj Mandi, Sarangarh, District Rajnandgaon
		Versus
RESPONDENTS	1	Collector, Raigarh (Raigarh)
	2	Shri P.S. Sikarwar, Food Officer, Raigarh.
	3.	Director, Mandi Arear Hills, Bhopal.

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

No one appears for the petitioner when the matter is called out.

Ms. Sunita Jain, Panel Lawyer for the State/respondent No.1, Collector, Raigarh.

None for the other respondents.

ORAL ORDER
(11.10.2007)

SUNIL KUMAR SINHA, J.

This matter was received on transfer from the High Court of Madhya Pradesh, Jabalpur.

It was listed for the first time before this Court on 19.7.2007. Since nobody has caused appearance on behalf of the petitioner on the said date, this Court directed for issuance of SPC to the petitioner as well as to respondents No. 2 & 3. As per the order, SPC was issued but, no representation has been made even after issuance of the SPC.

A perusal of the record shows that this petition was filed for quashment of the order of suspension dated 11.3.1997 (Annexure A-1). The reply on behalf of respondents was filed on

7.7.1997. A perusal of the reply would show that the suspension of the petitioner was revoked by order dated 5.7.1997 by respondent No.1 and he was punished under Rule 10 of the Madhya Pradesh Civil Services (Classification, Control & Appeal) Rules, 1966 and 2 increments have been withheld with cumulative effect and it was further directed that the petitioner shall not be entitled for salary of the suspension period. A copy of the order has been filed as Annexure R-1.

In view of the above return filed by the respondents on 7.7.1997 and also in view of the fact that the suspension of the petitioner was revoked and further that a final order was passed under the aforesaid Rules, in the opinion of this Court, nothing survives for prosecution of this petition.

In light of the facts and circumstances of this case, particularly in light of the reply filed by the State, this petition has become infructuous. It deserves to be dismissed being infructuous. Accordingly, it is dismissed as infructuous.

Sd/-
Sunil Kumar Sinha
Judge

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